

VZCZCXRO2348
RR RUEHMA RUEHPA
DE RUEHMV #0760/01 2891307
ZNR UUUUU ZZH
R 161307Z OCT 09
FM AMEMBASSY MONROVIA
TO RUEHC/SECSTATE WASHDC 1403
INFO RUEHPNH/NVC PORTSMOUTH 0294
RUEHFT/AMCONSUL FRANKFURT 1208
RUEHZK/ECOWAS COLLECTIVE

UNCLAS SECTION 01 OF 04 MONROVIA 000760

SENSITIVE
SIPDIS

DEPT FOR CA/FPP, DHS FOR CIS/FDNS
DEPT FOR AF/W FOR NOLE GAREY
ECOWAS POSTS FOR FRAUD PREVENTION MANAGERS
FRANKFURT FOR RCO RONALD S PACKOWITZ

E.O. 12958: N/A

TAGS: KFRD CVIS CPAS CMGT ASEC LI

SUBJECT: FRAUD SUMMARY - LIBERIA, MARCH - AUGUST 2009

REF: A) 08 STATE 074840

REF: B) 09 MONROVIA 648

REF: C) 09 MONROVIA 609

(U) Post's fraud summary for March - August 2009 follows according to REFTEL:

IA. (U) COUNTRY CONDITIONS:

Not much has changed since the last fraud summary as far as the conditions in Liberia are concerned. Poverty is the norm and civil society is slowly being rebuilt. It will be many years before life returns to any semblance of normal as defined by American standards.

In the meantime, finding a way to the get to the United States is a Liberian national sport practiced by all layers of society, including even the most fortunate.

This report covers the highlights of a reporting period in which Post's ability to investigate fraud was essentially shut down by the loss of investigative staff and the transfer of the section chief.

IB. (U) NIV FRAUD:

NIV fraud continues: most applicants are standard unqualified travelers refused 214(b); however five (5) applicants were refused 212(a)(6)(c) from March to August, including one A2 applicant.

Applicants continue to submit all manner of fraudulent letters of invitation, bank statements, and employment documentation. Post also receives poison pen letters on a regular basis. The subject of the majority of poison pen letters regard crimes committed during the civil war. Allegations of murder, rape, and theft are common in these letters, which are entered as "L" lookouts in Independent Name Check System (INK).

The Department of Homeland Security's (DHS) ADIS (Arrival and Departure Information System) tool has been helpful in investigating overstays and SEVIS violations. Post notes, however, some records are incomplete (e.g. departures have not been recorded). Additionally, the facial recognition and IDENT tools continue to enable Officers to identify applicants applying with different names, nationalities, and dates of birth from the time/s of their last application/s.

Post remains concerned about the use of A and G visas by the Government of Liberia (GOL) as a conduit for unqualified travelers to enter the United States. Suspicions will be either confirmed or denied soon as Post receives raw data for a validation study, which includes A and G travelers, among others, during the 2008 fiscal year. By calling travelers from the validation study whose departure records are incomplete (i.e. no departure is recorded in

ADIS), Post has already uncovered two Liberian legislators whose family members are still living in the United States. One legislator's office proudly told a staff member the Representative's children were attending public school in Rhode Island. Results of the validation study will be reported by SEPTEL.

In addition this reporting period, two Liberian legislators who had been issued nonimmigrant visas were involved in the importation of stolen vehicle/s from the United States. One vehicle was confirmed stolen by NCIC database records; RSO is currently working with an ICE stolen vehicle task force to return the vehicle to the United States as well as identify those involved in the apparent stolen vehicle ring between the United States and Liberia. The stolen vehicle remains at the Port of Monrovia. One of the two legislators involved already had a 6(c) ineligibility, but traveled on an A category visa and, therefore, was not subject to it.

IC. (U) IV FRAUD:

During this reporting period, 80 family based petitions were returned to the National Visa Center with a recommendation for revocation - of these petitions, 17 were based on DNA test results. Over half, or 43 cases, returned were marriage or fianc/e visa cases. Relationship fraud is rampant since genuine marriage and divorce documents can be procured with relative ease, even in the absence of the American citizen petitioner/spouse.

Lack of secondary evidence is the overwhelming reason for 221(g) refusals. Conveniently, proof of bona fide relationships is often claimed to be "missing" due to the "war," a "fire," or a "robber." While this is likely the situation in some cases, it is certainly not true across the board, as applicants would have Officers

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believe. Accurint, CCD, split interviews, and DNA tests are relied upon heavily in order to authenticate claimed relationships.

ID. (U) DV FRAUD:

DV fraud continues unabated. Post continues to see pop-up and clip-on spouses and children as well as impostaers. Fraudulent high school diplomas and West African Examination Council (WAEC) certificates are the most common reason for 5(A) refusals.

This reporting period, when confirming a genuine looking WAEC certificate with appropriate gender and school code check digits, a Vice Consul, working with the Director of the WAEC office, found that the information inside the genuine certificate was fraudulent. This confirms that someone inside the WAEC office, with the ability to enter record information and with access to the production of the certificates, is manufacturing genuine certificates with falsified information, most likely for remuneration. When looking up the applicant in question's record, the WAEC Office Director found that the applicant had actually failed the exam. The certificate submitted with the DV application showed that the applicant had passed all subjects. Previously a fair gauge of whether or not a DV applicant had completed secondary school (since low quality, easily manufactured diplomas are not), even WAEC exam results are no longer trustworthy. A more in depth investigation into the source of the genuine WAEC certificates with falsified information is being planned with the RSO and Liberia National Police (LNP).

The WAEC Director gave the investigating Vice Consul copies of all nine WAEC secondary subject exams. While this gesture of good faith has been helpful in scrutinizing applicants who claimed to have taken and passed the exam, it does little to rectify the complete lack of integrity in the WAEC documentation process.

IE. (U) ACS AND U.S. PASSPORT FRAUD:

Teens claiming to be American citizens without any documentation of their citizenship are still a concern. Both last and this reporting period there were two cases (for a total of four). To date, through PIERS, Accurint, and thorough interviewing, none have actually been found to be citizens.

Also, during the visa adjudication process, Officers continue to discover that Liberians previously residing in the United States (under TPS, DED, or sometimes, even, illegally) were able to work by falsely claiming to be United States citizens. If Delayed Enforced Departure (DED) eventually comes to a close for Liberians, findings of false claims to U.S. citizenship will rise in the adjudication of passport and visa applications.

IF. (U) ADOPTION FRAUD:

The GOL's moratorium on inter-country adoptions remained in place this reporting period. The new Child Protection Act, which calls for the institution of modern adoption regulations, has yet to be ratified.

In examining backlogged adoption cases, Post noted some irregularities in nearly completed case files, including GOL Ministry of Health and Social Welfare case studies issued after court decrees (vice before) and birth certificates issued with the biological parents' names (vice adoptive parents, as required by the current Liberian adoption law). Post will report by SEPTEL an overview of Liberian inter-country adoption processing, including fraud issues.

IG. (U) USE OF DNA TESTING:

DNA testing continues to be used in all categories of IV and some CRBA adjudication. All testing is performed by a panel physician and monitored by Post's EFM consular associate per the updated guidance. A considerable number of cases eventually go to TERM 1 after DNA testing is suggested, indicating petitioners have filed a petition on behalf of a parent or child who is not their biological relative. While post receives a number of DNA results where the petitioner is excluded (see IV Fraud), many do not bother to go through the expensive, and sometimes time consuming, process since they already know the likely outcome.

IH. (U) ASYLUM AND OTHER DHS BENEFITS FRAUD:

"Lost" and "stolen" green cards are reported at a steady rate. The most common passengers denied boarding at Roberts International Airport (RIA) are imposters presenting green cards. Brussels Airlines' local security company, ESM, previously sent Post airport

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turnaround reports, however since their suspension (see Section I, below) Post has stopped receiving said information.

Post processes V92 and V93; age and relationship fraud are regular occurrences in these cases. Additionally, underlying claims for asylum are often found to be questionable or inaccurate by processing Officers. While processing Officers are not authorized to re-adjudicate the petitions, in one recent case where the underlying claim to asylum was quite clearly fabricated, Post sent DHS by telegram information that highlighted the inaccuracies in the underlying asylum claim. Again, this is rarely done, since Post processes on behalf of DHS and does not adjudicate these claims, but when a case is particularly egregious, Post will provide additional information as warranted to DHS.

II. (SBU) ALIEN SMUGGLING, TRAFFICKING, ORGANIZED CRIME, AND TERRORIST TRAVEL:

As reported in REF C, the removal of two mala fide Pakistanis from a Brussels Airlines flight to Brussels by airline officials, and the GOL's subsequent investigation, has brought to light a well developed smuggling operation using the Roberts International Airport (RIA) VIP Lounge as a way to avoid normal security screening checks. The ring was recycling stolen U.S. passports to purchase airline tickets for unqualified travelers. Members of the Liberian Bureau of Immigration and Naturalization (BIN), the Ministry of Foreign Affairs Office of Protocol, an expeditor for Firestone Rubber Plantation, and one member of Brussels Airlines' local security company ESM are under investigation for their collusion in operating a smuggling ring. As reported in REF C, GOL officials have yet to return the passports in question to the Embassy. All of

those involved in the ring, including organizers, beneficiaries and local government facilitators have been entered as P6E hits.

Post has nothing to report on organized crime and terrorist travel for the reporting period.

IJ. (SBU) DHS CRIMINAL FRAUD INVESTIGATIONS:

ICE dispatched an evidence team to Liberia to investigate an American citizen for violations of the US Protect Act.

IK. (U) HOST COUNTRY PASSPORT, IDENTITY DOCUMENTS, AND CIVIL REGISTRY:

As outlined in Post's two previous semi-annual summaries, without secondary evidence, Liberian civil documents are never considered *prima facie* evidence of the information contained therein.

In one case this reporting period, the Ministry of Health and Social Welfare and the Ministry of Foreign Affairs confirmed that a Nigerian imposter submitted a fraudulent Liberian birth certificate and an altered passport, respectively, in conjunction with his immigrant visa application. Even though the documents submitted were fraudulent and fraudulently altered, the Ministry of Health and Social Welfare then issued the imposter a genuine Liberian birth certificate without further investigation and counter to the Vice Consul's warnings that all other members of the imposter's family are Nigerian and that he had demonstrated no ties to Liberia during his visa interview. With the genuine birth certificate, the imposter can now apply for a genuine Liberian passport, calling into question (yet again) the integrity of even genuine Liberian documents.

In order to help build the capacity of the Liberian Passport and Visa Office, one of Post's Vice Consuls conducted two training sessions at the Ministry of Foreign Affairs for Liberian passport adjudicators and other Bureau of Immigration and Naturalization (BIN) employees on imposter detection and interview techniques. The Liberian Director of Passports has requested more training at Post's convenience citing the two sessions as the only on-the-job training the adjudicators have received.

Liberia plans to start wide-scale issuance of its biometric passport in early 2010. Exemplars were sent to CA/FPP last year when they were originally created. There was not funding available, however, for wide-scale production at that time, thus the delayed release to the public.

IL. (U) COOPERATION WITH HOST GOVERNMENT:

The Government of Liberia has been generally cooperative when Post requests assistance to verify documents. However, the Court Clerk for the Liberian Monthly and Probate Court, at the Temple of Justice, refuses to let the Vice Consul see court records associated

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with adoptions making it impossible to authenticate adoption decrees submitted with IR-2, 3, and 4 cases.

There is almost no capacity to prosecute fraud and very little Liberian law enforcement interest in fraud associated with visas cases.

IM. (U) AREAS OF PARTICULAR CONCERN:

The poor quality of legitimate documents and the ease of acquiring genuine documents with fraudulent information is an ongoing concern. Entrenched corruption makes seemingly routine cases problematic.

IN. (U) STAFFING AND TRAINING:

As previously reported in REF B, Embassy Monrovia terminated the employment of LES consular fraud investigator Samuel Karn and Embassy driver Smitt Daweah following an investigation by the Regional Security Officer (RSO) into allegations of malfeasance against Karn.

Post's lead LES retired on September 18, 2009 after eighteen (18) years of service to the United States government. She received a Special Immigrant Visa for her years of service, including those during the Liberian civil war when she assisted in the evacuation of American citizens at significant risk to her own safety.

Turnaround time on verification requests for DHS has been lengthy due to the month-and-a-half gap between the outgoing and incoming consular chiefs.

Both the lead LES position and the consular fraud assistant position are open and have been advertised. Post will work with CA/FPP and RSO on how best to use the fraud investigator considering the poor history Post has had with its previous two investigators. Post believes that the pressure on LES in Liberia is too great to allow much autonomy in fraud investigations. Unfortunately, the sight of an American officer in many neighborhoods would result in no or potentially false information provided by would-be informants during investigations. RSO has also offered to help train a new consular fraud assistant. During the next reporting period, one of two ARSOs will also assist the section with more in-depth fraud investigations, including the aforementioned investigation of the WAEC office, even though there is no formal ARSOi position at post.

ROBINSON